

**Remarks/Arguments**

Claim 1 remains in the application. In an earnest effort to address the Examiner's outstanding rejection and to move this case to allowance, Applicants respectfully request entry of this Amendment and note as follows.

In the Office Action of December 30, 2005, the Examiner has again rejected claim 1 under 35 U.S.C. 103(a) as being unpatentable over Filion, et al. (United States Patent No. 5,952,630) in view of Feng, et al. (United States Patent No. 6,627,299). For the reasons set forth below, it is believed that with the amendment to claim 1 as recited herein, that claim 1 now satisfies the conditions of patentability under 35 USC 102/103.

The Examiner concedes that the primary reference of Filion et al ('630) does not teach a process of marking an outer skin using a laser. However, throughout this prosecution, the Examiner has continued to rely upon Feng et al to provide for the missing teachings of Filion.

It is therefore now worth noting that Feng et al specifically rely on the **inclusion of laser energy absorbing additives** in order to effect a color change (see, for instance, Abstract, col. 2 lines 1 and 18-19, col. 4, lines 34-35 and 43-49, col. 5 lines 36-42, col. 7 lines 18-19 and 28-29, col. 8 line 38, and col. 9 line 16-18). For example, Feng et al disclose the use of cordierite, crystalline zeolite, zirconium silicate and calcium silicate. Col. 2, lines 18-19. Other laser absorbing additives are identified as mica, kaolin and talc. Col. 4, lines 46-49. The present invention does not employ laser energy absorbing additives for the purpose of creating a mark.

On that note, the Examiner may note that claim 1 has been amended to recite that the invention herein consists of the indicated steps, which would exclude any reading of said claim on the feature of incorporating laser energy additives which are, as noted, emphasized as necessary in the cited prior art.

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Therefore, it is believed that neither Fillion, et al. ('630) nor Feng, et al. ('299), taken alone or in combination, teach or suggest the features of the invention recited in amended claim 1. In consideration of the amendments to the claim and the remarks hereinabove, Applicants respectfully submits that all claims currently pending in the application are believed to be in condition for allowance. Re-examination and reconsideration is requested. Allowance at an early date is respectfully solicited.

In the event the Examiner deems personal contact is necessary, please contact the undersigned attorney at (603) 668-6560.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 50-2121.

Respectfully submitted,

/steven j grossman/

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I hereby certify that this correspondence is being submitted with the United States Patent Office via the on-line Electronic Filing System (EFS) addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **March 30, 2006**, by Customer No. 32047 at Manchester, New Hampshire.

By           / carol mcclelland /            
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